



PATENT APPLICATION  
6533/53815

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Packer	
Serial No.: 10/790,272	
Filed: 3/1/2004	Group Art Unit: 2663
Title: Method for Explicit Data Rate Control in a Packet Communication Environment without Data Rate Supervision	Examiner: Marcelo
Attorney Docket No.: 6533/53815	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☒ under 37 CFR 1.97(c) together with either a:  
☐ Statement under 37 CFR 1.97(e), or  
☒ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Information Disclosure Statement  
Atty Dkt 6533/53815

1

USSN 10/790,272

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

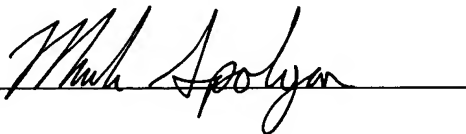
It is requested that the information disclosed herein be made of record in this application.


Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: November 15, 2004

Typed Name: Mark J. Spolyar

Signature: 

  
Mark James Spolyar  
Attorney/Agent for Applicant(s)  
Reg. No. 42164

Date: November 15, 2004

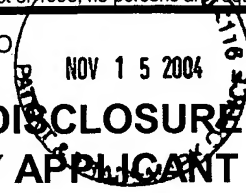
Telephone No.: 415-826-7966

Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		Application Number		10/790,272	
		Filing Date		3/1/2004	
		First Named Inventor		Packer	
		Group Art Unit		2663	
		Examiner Name		Marcelo	
Sheet	1	of	2	Attorney Docket Number 53815	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		COMER et al., "A Rate-Base Congestion Avoidance and Control Scheme for Packet Switched Networks," Proceedings of the 10 <sup>th</sup> Int'l Conference on Distributed Computing Systems, IEEE 1990.	
		DIGHE et al., "Congestion Avoidance Strategies in Broadband Packet Networks," Proceedings Vol. 1: IEEE Infocom '91, IEEE 1991.	
		AAGESEN, "A Flow Management Architecture for B-ISDN," Proceedings of the IPIP TC6/ICCC Int'l Conference on Integrated Broadband Communication Networks and Services, 1994.	
		CHAKRABARTI et al., "Adaptive Control for Packet Video," Proceedings of the Int'l Conference on Multimedia Computing Systems, IEEE 1994.	
		BOLOT et al., "A Rate Control Mechanism for Packet Video in the Internet," Proceedings Vol. 3: IEEE INFOCOM '94, IEEE 1994.	
		HONG et al., "Performance Evaluation of Connectionless Service for ATM Networks," Proceedings Vol. 2/3: IEEE Global Telecommunications Conference (GLOBECOM'95), IEEE 1995.	
		KANAKIA et al., "An Adaptive Congestion Control Scheme for Real-Time Packet Video Transport," Proceedings Communications Architectures, Protocols and Applications (SIGCOMM '93), ACM Press 1993.	
		GONG et al., "Study of a Two-Level Flow Control Scheme and Buffering Strategies," Proceedings Vol. 3: IEEE INFOCOM '94, IEEE 1994.	
		SONG et al., "An Algorithm for Flow and Rate Control of XTP," IEEE Int'l Conference on Communications '93 (IGC '93), IEEE 1993.	
		GERLA et al., "Comparing ATM Credit-Based and Rate-Based Controls for TCP Sources," MILCOM 95, Universal Communications, Conference Record, Vol. 1, IEEE 1995.	
		JACOBSON, "Congestion Avoidance and Control," SIGCOMM '88 Symposium: Communications Architectures & Protocols, ACM Press, 1998.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached. **Warning:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/790,272
				Filing Date	3/1/2004
				First Named Inventor	Packer
				Group Art Unit	2663
				Examiner Name	Marcelo
Sheet	2	of	2	Attorney Docket Number	53815

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		HUYNH et al., "Performance Comparison Between TCP Slow-Start and a New Adaptive Rate-Based Congestion Avoidance Scheme," Proceedings of the Second Int'l Workshop on Modeling, Analysis, and Simulation of Computer and Telecommunications Systems, IEEE 1994.	
		HAAS, "Adaptive Admission Congestion Control," Computer Communication Review, Vol. 21, No. 5, ACM SIGCOMM 1991.	
		RAMAKRISHNAN et al., "A Binary Feedback Scheme for Congestion Avoidance in Computer Networks," ACM Transactions on Computer Systems, Vol. 8, No. 2, ACM Press 1990.	
		CHOI et al., "On Acknowledgment Schemes of Sliding Window Flow Control," IEEE Transactions on Communications, Vol. 37, No. 11, IEEE 1989.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.  
DO NOT SEND FEES OR COMPLETED